

## REMARKS

### Present Status of the Application

This Amendment is promptly filed to place the above-captioned case in condition for allowance. Claims 5-6 remain pending of which claim 5 has been amended to describe the claimed invention more explicitly and more clearly. The language in the amendments is for clarification and proper interpretation of the claims we set forth in our specification and are well support by the specification. No new matter has been added to the application by the amendments made to the claims or otherwise in the application.

The Applicants have most respectfully considered the remarks set forth in this Office Action. Regarding the anticipation rejection and obviousness rejection, it is however strongly believed that the cited references are deficient to adequately teach the claimed features as recited in the amended claims. The reasons that motivate the above position of the Applicants are discussed in detail hereafter, upon which reconsideration of the claims is most earnestly solicited.

### Response to 35 U.S.C. 103 (a) rejection

*Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (USP 5,660,682, Zhao hereinafter) in view of Sun et al. (USP 5,674,357, Sun hereinafter).*

Applicants respectfully assert that Zhao in view of Sun is legally deficient for the purpose of rendering claim 5 unpatentable for at least the reason that not every element of the claim was taught or suggested by Zhao in view of Sun such that the invention as a whole would have been obvious to one of ordinary skill in the art. In particular, Applicants respectfully assert that Zhao fails to teach "...an overetch process using an inert gas plasma to remove a remaining of the

*photoresist layer and to treat the silicon oxide material*'. The technical significant of the foregoing limitations is that during the removal of the photoresist layer using an oxygen plasma, a silicon oxide material tends to form on the silicon containing material. Therefore, in accordance to the present invention, the removal of the photoresist layer is divided into two step, wherein in the first photoresist removal step, an oxygen plasma is employed to remove a majority of the photoresist layer. A remaining of the photoresist layer is then removed by an overetching process using an inert gas plasma, wherein any unwanted oxide material formed during the first photoresist layer removal step is also removed. Further, during the removal of the remaining of the photoresist layer, no unwanted oxide material will be formed.

Zhao, on the other hand, simply discloses the problems encountered during the removal of the photoresist layer, namely the generation of undesired oxide, photoresist and other solutions. Zhao then continues to discuss the conventional approach in cleaning an integrated circuit as a whole. Sun, on the other hand, simply teaches using an oxygen plasma to remove a photoresist layer. Therefore, there is no where in Zhao or Sun that either explicitly teaches or implicitly suggests that the removal of a photoresist layer can be divided into two steps, wherein a majority of the photoresist layer is removed using an oxygen plasma. An overetching process is conducted using a non-oxygen plasma to remove a remaining of the photoresist layer and the unwanted oxide material formed during the first photoresist layer removal step. And better yet, no unwanted oxide material will be generated during the overetching process.

For at least these reasons, Applicants respectfully assert that Zhao in view of Sun fails to render claims 5 obvious. Since claim 6 is a dependent claim, which utilizes claim 5 as a base claim. Applicants respectfully assert that these claims are non-obvious, as being dependent upon

allowable independent claims. Reconsideration and withdrawal of this rejection are earnestly requested.

#### Newly Added Claims

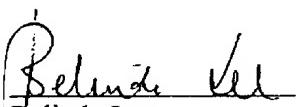
Applicants have added dependent claim 7 so as to limit further the claimed subject matter of the present invention. Therefore, it is believed claim 7 is patentable for the above reasons.

#### **CONCLUSION**

For at least the foregoing reasons, it is believed that all presently pending claims 5 to 7 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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